IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 16TH NOVEMBER 2007 / 25TH KARTHIKA 1929

Crl.Rev.Pet.No. 4093 of 2007()

CRA.28/2004 of THE ADDL. DISTRICT & SESSIONS JUDGE (ADHOC) III, KOLLAM

CC.833/2000 of JUDL.MAGISTRATE OF FIRST CLASS-II(FOREST OFFENCES),PUNALUR

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REVN. PETITIONER: REVISION PETITIONER/APPELLANT/ACCUSED

PREMNATH @ PREMAN
GOCERY MERCHANT, LAKSHMI STORES
MARKET ROAD, PUNALUR.

BY ADV. SRI.R.ARUN RAJ

RESPONDENTS: COMPLAINANT STATE

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1. R.KANNAN, BINESH BHAVAN,
KOMALAM KUNNU, PUNALUR VILLAGE.

2. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.

10. KANNAN, BINESH BHAVAN
KOMALAM KUNNU, PUNALUR VILLAGE

BY PUBLIC PROSECUTOR SRI. K.S. SIVAKUMAR
SRI.R.KRISHNAKUMAR (CHERTHALA)

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 16/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No.4093 of 2007

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Dated: 16-11-2007

ORDER

The accused in C.C. No. 833 of 2000 on th**e file** of the J.F.C.M-II, Punalur for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 12053 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner/accused.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,
(JUDGE)

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